

U.S.S.N. 09/863.816

Transmittal of Information Disclosure Statement dated June 23, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Sommadossi *et al.*

Serial No.: 09/863.816

Group Art Unit: 1621

Filed: May 23, 2001

Examiner: Latonia M. Fisher

Title: Methods and Compositions for Treating Flavivirus and Pestivirus

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

**Transmittal of Supplemental Information Disclosure Statement**

Sir:


Pursuant to the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, Applicants cite the publications listed on the accompanying PTO-1449. Copies of all listed references are enclosed. In addition, Applicants bring to the Examiner's attention the following related U.S. applications currently pending (U.S.S.N.s 60/392,351; 60/392,350; 60/426,675; 60/432,766; 60/436,150; and 09/864,078) which are assigned to Idenix Pharmaceuticals, Inc., which is the same assignee as the above-identified patent application. Applicants also enclose a copy of the International Search Report for the corresponding International Application No. PCT/US01/16687 for the Examiner's review, as well as the International Search Report for the related case, International Application No. PCT/US01/16671. The citation of this information does not constitute an admission of priority or that any cited item is available as a reference, or a waiver of any right the applicant may have under the applicable statutes, Rules of Practice in patent cases, or otherwise.

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If the Examiner determines a fee is required, the Commissioner is authorized to charge any requisite fees associated with this paper to Deposit Account No. 11-0980.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Sherry M. Knowles".

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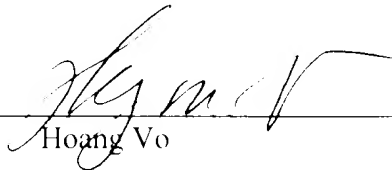
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CERTIFICATE OF MAILING UNDER 37 CFR § 1.8 (a)

I hereby certify that this Supplemental Information Disclosure Statement, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA, 22313-1450.

  
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Submitted for form 1449/PTO  <b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Complete if Known</b>	
				Application Number	09/864,078
				Filing Date	23 May 2001
				First Named Inventor	Sommadossi, J-P. et al.
				Group Art Unit	1614
Sheet	1	of	6	Attorney Docket Number	06171.105022.

U.S. PATENT DOCUMENTS						
Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pgs. Clmns, Lns, Where Relevant Passages/Relevant Figs Appear
		Number	Kind Code (if known)			
	✓	5,977,061		Antonin Holy		

FOREIGN PATENT DOCUMENTS								
Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document DD-MM-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>th</sup>
		Office <sup>3</sup>	Number	Kind Code <sup>2</sup> (if known)				
		WO	99/43691 A		CHOI et al	2 Sep 1999		
		GB	1 209 654 A		Merck & Co. Inc.	21 Oct 1970		
		FR	1 521 076 A		Merck & Co. Inc.	12 Apr 1968		
		GB	1 163 103 A		Merck & Co. Inc.	4 Sep 1969		
		FR	2 662 165 A		Univ Paris Curie	22 Nov 1991		

<sup>1</sup> Unique citation designation number. See attached Kinds of U.S. Patent Documents. <sup>2</sup> For U.S. patents, the kind code is the number in parentheses following the patent number. For foreign patents, the kind code is the number in parentheses following the patent number. <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the kind number of the patent document. <sup>4</sup> Kind of document by the appropriate classification code.

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				Application Number	09/863,816
				Filing Date	23 May 2001
				First Named Inventor	Sommadossi, J-P.
				Group Art Unit	1614
Sheet <b>1</b> of <b>6</b>				Attorney Docket Number	06171.105027.

## U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pgs. Claimed Lns. Where Relevant Passages/Relevant Figs Appear
		Number (if known)	Kind Code			
	A	6,395,716		Novirio Pharmaceuticals Limited	28 May 2002	
	B	6,444,652		Novirio Pharmaceuticals Limited	03 September 2002	
	C	6,340,690		Bio-Chem Pharma, Inc.	02 January 2002	

## FOREIGN PATENT DOCUMENTS

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		Office <sup>3</sup>	Number	Kind Code <sup>2</sup> (if known)				
	D	WO	01 96353		Novirio Pharmaceuticals Limited	20 December 2001		
	E	WO	00/09531		Novirio Pharmaceuticals Limited	24 February 2000		
	F	WO	01/60315	A3	Shire Biochem Inc.	23 August 2001		
	G	WO	01/90121		Novirio Pharmaceuticals Limited	29 November 2001		
	H	WO	01 91737		Novirio Pharmaceuticals Limited	29 May 2001		
	I	WO	02 057287	A2	Merck & Co. Inc.	25 July 2002		
	J	WO	02 057425	A2	Merck & Co. Inc.	25 July 2002		
	K	WO	02 070533	A3	Pharmasset LTD.	12 September 2002		

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# **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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of

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## *Complete if Known*

Application Number	09/863,816
Filing Date	23 May 2001
First Named Inventor	Sommadossi, J-P. et al
Group Art Unit	1614
Attorney Docket Number	06171.105027.

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		Office <sup>3</sup>	Number	Kind Code <sup>2</sup> (if known)				
	L	WO	02/094289	A1	F. Hoffmann-La Roche AG	28 November 2002		
	M	WO	02/100415	A2	F. Hoffmann-La Roche AG	19 December 2002		
	N	WO	02/18404	A2	F. Hoffmann-La Roche AG	07 March 2002		
	O	WO	02/32920	A2	Pharmasset LTD.	25 April 2002		
	P	WO	03/026675		Idenix Pharmaceuticals Inc.	04 March 2003		
	Q	WO	01/16671		Novirio Pharmaceuticals Limited	23 May 2001		
	R	WO	03/26589		Idenix Pharmaceuticals Inc.	04 March 2003		
	S	GB	1 163 103	A	Merck & Co. Inc.	04 September 1969		
	T	GB	1 209 654	A	Merck & Co. Inc.	21 October 1970		
	U	FR	1 521 076	A	Merck & Co. Inc.	12 April 1968		
	V	FR	2 662 165	A	Univ Paris Curie	22 November 1991		
	W	WO	01/16671		Novirio Pharmaceuticals Limited	23 May 2001		
	X	WO	02/48165	A2	Pharmasset LTD.	17 December 2001		
	Y	WO	01/79246		Pharmasset LTD.	13 April 2001		

1. The applicant certifies that the information disclosed in this statement is true and correct to the best of the applicant's knowledge and belief. The applicant also certifies that the information disclosed in this statement is not prior art to the invention claimed in the application for the patent.

2. The kind of document to be disclosed is: (A) a patent document, (B) a published application for a patent, (C) a document in which a technical disclosure is made, (D) a document in which a technical disclosure is made, (E) a document in which a technical disclosure is made, (F) a document in which a technical disclosure is made, (G) a document in which a technical disclosure is made, (H) a document in which a technical disclosure is made, (I) a document in which a technical disclosure is made, (J) a document in which a technical disclosure is made, (K) a document in which a technical disclosure is made, (L) a document in which a technical disclosure is made, (M) a document in which a technical disclosure is made, (N) a document in which a technical disclosure is made, (O) a document in which a technical disclosure is made, (P) a document in which a technical disclosure is made, (Q) a document in which a technical disclosure is made, (R) a document in which a technical disclosure is made, (S) a document in which a technical disclosure is made, (T) a document in which a technical disclosure is made, (U) a document in which a technical disclosure is made, (V) a document in which a technical disclosure is made, (W) a document in which a technical disclosure is made, (X) a document in which a technical disclosure is made, (Y) a document in which a technical disclosure is made, (Z) a document in which a technical disclosure is made.

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				Group Art Unit	1614
				Attorney Docket Number	06171.105027.
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		Office <sup>3</sup>	Number	Kind Code <sup>2</sup> (if known)				
	Z	WO	01/32153		Bio-Chem Pharma, Inc.	03 November 2000		

## OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	AA	ALTMANN <i>et al.</i> , <u>Synlett</u> , Thieme Verlag, Stuttgart, De. <b>1994</b> , 10, 853	
	AB	ALTMANN <i>et al.</i> , <u>Biorganic &amp; Medicinal Chemistry Letters</u> , <b>1994</b> , 4, No. 16, 1969	
	AC	BEIGELMAN <i>et al.</i> , <u>Nucleic Acids Symp. Ser.</u> , <b>1981</b> , 9, 115	
	AD	BEIGELMAN <i>et al.</i> , <u>Carbohydrate Research</u> , <b>1988</b> , 181, 77	
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	AF	CZERNECKI <i>et al.</i> , <u>J. Org. Chem.</u> , <b>1992</b> , 57, 7325	
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	AH	FARKAS <i>et al.</i> , <u>Collection Czechoslov. Chem. Comm.</u> , <b>1967</b> , 32, 2663	
	AI	FEDEROV <i>et al.</i> , <u>J. Med. Chem.</u> , <b>1992</b> , 35, 4567	

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	AJ	FRANCHETTI <i>et al.</i> , <u>J. Med. Chem.</u> , <b>1998</b> , <i>41</i> , 1708	
	AK	GROUILLER <i>et al.</i> , <u>Synlett</u> , <b>1993</b> , 221	
	AL	HARAGUCHI <i>et al.</i> , <u>Tetrahedron Letters</u> , <b>1991</b> , <i>32</i> , No. 28, 3391	
	BA	HARRAGUCHI <i>et al.</i> , <u>Nucleosides &amp; Nucleotides</u> , <b>1995</b> , <i>14</i> , 417	
	BB	HATTORI <i>et al.</i> , <u>J. Med. Chem.</u> , <b>1998</b> , <i>41</i> , 2892	
	BC	IINO <i>et al.</i> , <u>Nucleosides and Nucleotides</u> , <b>1996</b> , <i>15</i> , 169	
	BD	ITOH <i>et al.</i> , <u>J. Org. Chem.</u> , <b>1995</b> , <i>60</i> , 656	
	BE	JOHNSON <i>et al.</i> , <u>Nucleosides &amp; Nucleotides</u> , <b>1995</b> , <i>14</i> , 185	
	BF	LAVAIRE <i>et al.</i> , <u>Nucleosides &amp; Nucleotides</u> , <b>1998</b> , <i>17</i> , 2267	
	BG	KAWANA <i>et al.</i> , <u>Nucleic Acids Symp. Ser.</u> , <b>1986</b> , <i>17</i> , 37	
	BH	MATSUDA <i>et al.</i> , <u>Chem. Pharm. Bull.</u> , <b>1987</b> , <i>35</i> , 3967	
	BI	MATSUDA <i>et al.</i> , <u>Chem. Pharm. Bull.</u> , <b>1988</b> , <i>36</i> , 945	
	BJ	MAISUDA <i>et al.</i> , <u>J. Med. Chem.</u> , <b>1991</b> , <i>34</i> , 234	
	BK	MATSUDA <i>et al.</i> , <u>Nucleosides &amp; Nucleotides</u> , <b>1992</b> , <i>11</i> , No. 24, 197	
	BL	MIKHAILOV <i>et al.</i> , <u>Carbohydrate Research</u> , <b>1983</b> , <i>124</i> , 75	

### 1. Summary

## Index

For each document, the following information is recorded: Kind of document, Date of issue, Date of receipt, Appropriate subject, and WHOIS subject. For each subject, a primary document is identified, the information of the year, the number of the document, and the actual number of the parent document. Kind of document is the appropriate number assigned to the document under WHOIS subject. It is also possible to assign a check mark next to each of the appropriate subjects to which the document is related.



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Sheet 5 of 6

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	BM	MIKHAILOV <i>et al.</i> , <u>Nucleosides &amp; Nucleotides</u> , <b>1991</b> , 10, 339	
	BN	MIKHAILOV <i>et al.</i> , <u>J. Org. Chem.</u> , <b>1992</b> , 57, 4122	
	CA	OIVANEN <i>et al.</i> , <u>J. Chem. Soc. Perkin Trans.</u> , <b>1994</b> , 2, 309	
	CB	ONG <i>et al.</i> , <u>Biochemistry</u> , <b>1992</b> , 31, 11210	
	CD	ROGERS <i>et al.</i> , <u>Nucleosides &amp; Nucleotides</u> , <b>1997</b> , 16, 1457	
	CE	ROSENTHAL <i>et al.</i> , <u>Carbohydrate Research</u> , <b>1980</b> , 79, 235	
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	CH	SERAFINOWSKI <i>et al.</i> , <u>Tetrahedron</u> , Elsevier Science Publishers, <b>1999</b> , 56, No. 2, 333	
	CI	SHARMA <i>et al.</i> , <u>Nucleosides, Nucleotides and Nucleic acids</u> , <b>2000</b> , 19, No. 4, 757	
	CJ	TRITSCH <i>et al.</i> , <u>Bioorganic &amp; Medicinal Chemistry Letters</u> , <b>2000</b> , 10, 139	
	CK	TUNITSKAYA <i>et al.</i> , <u>Febs Letters</u> , <b>1997</b> , 400, 263	
	CL	USUI <i>et al.</i> , <u>Chem. Pharm. Bull.</u> , <b>1986</b> , 34, 15	
	CM	WALCZAK <i>et al.</i> , <u>Acta Chemica Scand.</u> , <b>1991</b> , 45, 930	
	CN	WALTON <i>et al.</i> , <u>J. Med. Chem.</u> , <b>1969</b> , 12, 306	

\* For the examination number, see attached Kind 1 (U.S. Patent Document). For the office that issued the document, by the two-letter code (WIPO Standard ST. 1.1). For these patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate code (see attached). For the WIPO Standard ST. 1.1, see attached. For the WIPO Standard ST. 1.1, see attached. For the WIPO Standard ST. 1.1, see attached.

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